

**3/17/08 - Monday, March 17, 2008**

CITY OF EAU CLAIRE

**PLAN COMMISSION MINUTES**

Meeting of March 17, 2008

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Levandowski, FitzGerald, Kayser, Hughes, Vande Loo, Davis

Staff Present: Messrs. Reiter, Noel, Genskow, Ivory, Fieber

The meeting was chaired by Mr. Levandowski.

1. **REZONING (Z-384-07) - C-1A Property Amendment, 2215 E. Clairemont Avenue**

This item was originally considered on December 17, 2007, and postponed to allow the applicant to meet with the abutting neighbors. Mr. Noel reported that the applicant, Susan Kumferman, has met with the abutting property owners and they have agreed to specific terms on a landscape plan. These terms, if approved, would amend the 1976

C-1A rezoning conditions. The applicant will temporarily reinstall the existing fence for approximately three years. In the meantime, the applicant will plant shrubs and trees to the south of the fence. After 3 years, but no more than after 5 years, the fence will be removed subject to the growth of the height of the vegetative buffer.

Susan Kumferman, owner, spoke in support. She stated that she would review the planned trees as recommended by Commissioner Kayser. No one appeared in opposition.

Mr. FitzGerald moved to recommend approval with the conditions listed on the applicant's letter. Mr. Davis seconded and the motion carried.

2. **CONDITIONAL USE PERMIT (CZ-0805) - Day Care Center, 2140 Sherwin Avenue**

Gary Meyers has submitted a request to allow a day care center in a C-2 district at 2140 Sherwin Avenue. The site plan shows that an existing building would be converted into a day care center with 2,700 square feet of

Gary Meyers spoke in support of the request. He stated that he would clean up the west side of the building and remove the weeded shrubs and replace with landscaping and approved shrubs.

Roger Biesterveld, Eleva, WI, and the owner of adjacent parcel to the north, addressed concerns with parking on Enterprise Street. He noted that most on-street cars appear to belong to employees of the Eastridge Center and requested that the City impose a two-hour parking time limit. Mr. Genskow stated that he would pass the comment on to the Traffic Engineer.

Terry Gilbertson, 2128 Sherwin Avenue, and owner of the property to the west, commented that there is no agreement with Mr. Meyers to use his driveway for egress. He also stated that he believed that Mr. Meyers' building is only 7 feet from the property line and, therefore, a seventh parking space cannot be guaranteed on the west side of the building.

Mary Gilbertson, owner of adjacent property, also voiced concerns with day care patrons using their driveway.

Mr. Hughes moved to postpone consideration for two weeks to allow the property owners to meet and discuss a shared access agreement. Mr. Vande Loo seconded and the motion carried.

3. **CONDITIONAL USE PERMIT (CZ-0806) - Home Occupation, 2806 Eisenhower Street**

Robin Brauner has submitted a request to allow a therapeutic massage service as a home occupation at 2806 Eisenhower Street. The business consists of a therapeutic massage practice, with clients stopping by the residence by appointment only. Parking is provided on the driveway. The applicant will have a state license. The business will be operated Tuesday through Saturday, 8 a.m. to 6 p.m. with shorter hours to 4 p.m. on Saturdays.

Ms. Brauner, applicant, appeared in support. She stated that she can only see one customer at a time and by appointment only, which is usually 4-5 customers per day. Each appointment lasts approximately 90 minutes.

Stephanie Thurner, 209 E. Tyler Avenue, spoke in opposition. She represents the Safe Steps Committee from Manz School. She is concerned about traffic from the business when there are many children walking to school between 8:30 and 9:00 a.m. and again from 3:30 to 4:00 p.m. in the afternoon. The home is located on an unsigned intersection for traffic control purposes.

Pam lesalnieks, 2816 Eisenhower Street, spoke in opposition. She stated that the neighborhood gets very congested during the morning and afternoon times. She also reported that many neighborhood children use the Manz playground

during the summer months.

Mary Jo Kolb, 1117 E. Fillmore Avenue, spoke in opposition. She felt that other than bringing traffic into the neighborhood, the business will undermine property values. She noted that the City works hard to keep other commercial areas upgraded and this business should locate in one of these. In response to a question, she stated that she would not object to a music teacher operating a business in the neighborhood.

Erle Bennett, 1110 E. Tyler Avenue, also spoke in opposition. He stated that it was too close to the school.

Georgie Gladwell, 1117 E. Tyler, spoke in opposition. She stated that the shopping center was set up to handle the commercial services for the neighborhood.

Mike Felton, spoke in support. He stated that he has known the applicant and the house and several neighbors were happy to know that a massage therapist would be available in the neighborhood. He added that no shrubs are blocking the view of cars exiting the driveway.

Carol>

Margaret Smith, 1125 E. Tyler Avenue, had questions about notification and objected to the business within the neighborhood.

Mr. Vande Loo moved to grant the request subject to the condition listed in the staff report. Mr. FitzGerald seconded but stated he would vote for the request if a time limit were placed on the business to answer the concerns from the neighborhood. Mr. Hughes moved to amend the motion to require a review of the home occupation by the Plan Commission after one year, with notification to the neighbors. The amendment was seconded and the amended motion carried unanimously.

4. **GENERAL SITE DEVELOPMENT PLAN (PZ-0802) - Fairfax Park, Baseball Field**

Mr. Fieber presented a request by the American Little League and the Girls Fast Pitch to provide a third field for joint use at Fairfax Park. The construction will be donated by the Army National Guard Engineering Unit. The two baseball associations will provide approximately \$35,000 in materials for the field. There is no requirement for the City to fund any part of this project. The additional field will relieve congestion on the two existing fields and there is still room for a fourth field. Originally the area was to provide a playground area, but the Waterways and Parks Commission felt a better site was to the south in Fairfax Park. The commission recommended approval.

Dan Shuda, 1455 Cummings, representing Girls Fast Pitch, spoke in support, and Trevor Kohlhepp, 3403 Sharon Drive, spoke in support of the Little League.

Mr. Hughes moved to recommend approval of the amended site plan. Mr. Vande Loo seconded and the motion carried.

5. **FIVE-YEAR PARK PLAN - 2008-2012 Park and Open Space Plan**

Mr. Fieber presented the 2008-2012 Park and Open Space Plan. This plan lays out a guide for the Parks Department, capital improvements for parks, and provides guidance for grant applications. Mr. Hughes noted that Archery Park and Mt. Simon Park should not be designated for archery usage. Mr. Hughes also recommended that the listing of uses within neighborhood parks shown in Table 1 not imply that the summer playground programs and skating rinks are available at all neighborhood parks.

Bob Schneider, Waterways and Parks Commission and Historic Randall Park Neighborhood, spoke in support of the plan. He stated this is a needed framework for the community parks system.

Mr. Hughes moved to recommend approval of the plan with the discussed changes. Mr. Davis seconded and the motion carried.

6. **SITE PLAN (SP-0810) - Gordy's County Market Addition, 2717 Birch Street**

Kramer Land Design has submitted a site plan for a building addition to Gordy's County Market at 2717 Birch Street. The building addition is 8,070 sq. ft., for a total grocery store space of approximately 60,000 sq. ft. The expansion will relocate and enlarge the liquor store area. A new facade will be placed on the entrance. The building addition will occupy 13 existing parking stalls. The owner will redesign the 74 parking stalls at the east side to provide 80 new stalls.

Joe Theisen, J. Theisen Construction, appeared in support.

Mr. Vande Loo moved to approve the site plan with the planning and engineering conditions listed in the staff report. Mr. Kayser seconded and the motion carried.

7. **SITE PLAN (SP-0811) ->**

**Patrick Thayer has submitted a site plan for a building addition to>**

**Al Taft, representing the owner of all three buildings, spoke in support.**

**Mr. FitzGerald moved to approve the site plan with the planning and engineering conditions listed in the staff report. Mr. Kayser seconded and the motion carried.**

8. Minutes

The minutes of the meeting of March 3, 2008, were approved.

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Fred Waedt  
Secretary